

On 15 February 1392 in Elgin cathedral, Lord Gilbert V de Glencarnie formally exchanged his lands of Glencarnie for the lands of Easter and Wester Fochabers and a life-interest in the land of Mayne.<sup>1</sup> The other party in this agreement, and recipient of the lordship of Glencarnie, was Thomas Dunbar, earl of Moray. This act ended a direct association between the Glencarnie kindred and their lands in central Strathspey that had lasted for more than two hundred years. The exchange of property was a rather tame end to a lordship that had apparently survived the vicissitudes of the assorted Mac William invasions of northern Scotland between 1184 and 1230, the first and second phases of the wars of independence and, finally, the intrusions of Clann Donnchaidh into Badenoch and Strathspey during the 1360s. Given this continuity of tenure, it is perhaps surprising that the history of the Glencarnie lordship in Strathspey has been virtually ignored in Scottish historical writings.<sup>2</sup>

The lordship of Glencarnie was located in a strategic position in central Strathspey where it commanded two very important routeways. The first of these ran southwards from Inverness through to Mar, the second ran east-west from the mouth of the Spey to Laggan parish, from where either Atholl or Lochaber could be easily reached. Anyone in possession of the lordship of Glencarnie could effectively monitor all traffic moving along these routes.

Unfortunately, there is no indication in any high-medieval source of the physical size of the lordship during the twelfth, thirteenth and fourteenth centuries. In fact, during this three-hundred-year period only three charters actually mention the names of any of the lands located within the lordship. The first of these, a royal charter issued sometime between 1178 and 1185, granted *Kinbethach* (Kinveachy) to Earl Gilbert of Strathearn.<sup>3</sup> The second charter, issued between 16 April 1205 and 1207, was a royal confirmation of a grant from Earl Gilbert to his youngest son, also called Gilbert, of the lands of *Kinnebethin* and *Glentarnin* (Kinveachy and Glencarnie).<sup>4</sup> The final charter, dated 12 September 1232, was an agreement between Andrew de Moravia, bishop of Moray, and Gilbert de Glencarnie (the son of Earl Gilbert) regarding the half-dabhach of *Kyncarny* (Kinchurdy).<sup>5</sup>

From the mid-fifteenth century onwards, however, after the crown had temporarily taken possession of Glencarnie, the geographic extent of the lordship becomes much clearer. An entry in the Exchequer

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<sup>1</sup> Fraser, *Grant*, iii, no.20.

<sup>2</sup> Since the examination of Glencarnie by Fraser in 1883 only G. W. S. Barrow [cf: 'Badenoch and Strathspey, 1130-1312. 1: Secular and Political', in *Northern Scotland*, 8, 1988, 1-15, hereafter: Barrow, 'Badenoch and Strathspey: 1'] has really drawn attention to the lordship. In contrast, more recent publications contain no record of the lordship of Glencarnie [cf: Peter G. B. McNeill and Hector L. MacQueen (eds), *Atlas of Scottish History to 1707*, (Edinburgh, 1996), 184-86].

<sup>3</sup> *RRS*, ii, no.206.

<sup>4</sup> *ibid.*, no.474. Barrow transcribed the name of the recipient of this grant as Gillechrist, eldest son of Earl Gilbert of Strathearn. However, Neville [cf: Cynthia J. Neville, *The Earls of Strathearn from the Twelfth to the mid-Fourteenth Century*, with an edition of their written acts, 2 vols. University of Aberdeen unpublished PhD thesis, 1983, i, 75-76 and at 96, hereafter: Neville, Thesis] found that the charter was torn in exactly the place where the name of the recipient of the grant was recorded. Only the letters 'Gil' remained. As Gillechrist, the eldest son of Earl Gilbert, had died in 1198, the recipient of this grant must have been Earl Gilbert's youngest son, who was also named Gilbert.

<sup>5</sup> Fraser, *Grant*, iii, no.5.

Rolls in 1456 provides the earliest surviving inventory of the principal lands in the lordship of Glencarnie but, rather frustratingly, does not list their actual extents. The lands were listed as (the modern equivalents are given in brackets): *Duthale* (Duthil), *Dulcruban* (later replaced by the place-name Tullochgribban), *Galowy* (Gallovie), *Gartyrbeg* (Gartenbeg), *Drummolny* (Drumullie), *Dachvachlowy* (Dochlaggie), *Kynbacheglis* (Kinveachy), *Davachcarne* (Davochcarn), *Kynbachroby* (Kinveachy), *Advylochan* (Avielochan), *Advymore* (Aviemore), *Granych* (Grainish), *Bulladeryn* (Pulladdern), *Mullochard* (Mullochard), *Ochterblare* (Ochterblair) and *Dalrechny* (Dalrachny).<sup>6</sup>

Quite remarkably perhaps, a document dated 15 May 1773 which provided a complete register of all fourteen dabhaichean in Duthil parish listed virtually identical place-names to the 1456 lordship inventory: *Bulladrin*, *Avimore*, *Granish*, *Avielochan*, *Kinveachie*, *Dochcharn*, *Deshair* (comprehending *Dochlaggie*), *Drummullie*, *Gartinbeg*, *Gallovie*, *Tullochgriban*, *Duthill*, *Auchterblair* and *Delrachnie*.<sup>7</sup> There are two obvious differences between the lists: firstly, the two lands of *Kynbacheglis* and *Kynbachroby*, which are present in the 1456 inventory, have been replaced by the dabhach of *Kinveachie*; secondly, the place-name *Mullochard* is missing from the main register of the 1773 list. These changes are not a problem. Evidence from other sources demonstrates that *Kynbacheglis* and *Kynbachroby* were each equivalent to a half-dabhach, and that together they comprised the dabhach of Kinveachy-chapel.<sup>8</sup> It is also clear that the lands of *Mullochard* and *Galowy* in the 1456 list were both half-dabhaichean that together comprised the dabhach of *Gallovie*.<sup>9</sup>

Accordingly, given the very strong similarities between these two lists it seems logical to suggest that the 1456 Exchequer Roll inventory of lands was actually an inventory of most of the dabhaichean and some half-dabhaichean in the lordship of Glencarnie that were under secular lordship. More importantly, since it is clear that the principal lands that belonged to the lordship of Glencarnie in 1456, and the dabhaichean that comprised the parish of Duthil in 1773, were identical, it follows that between 1456 and 1773 the lordship of Glencarnie was the equivalent of the parish of Duthil.<sup>10</sup>

Although the geographic conservatism of these Glencarnie/Duthil lands over the 317-year period between 1456 and 1773 is remarkable, it still does not shed any light on the pre-1456 extent of the lordship. In fact, there is very little evidence that points towards the extent of this. All that really can be said is that the half-dabhach of Kinchurdy, first mentioned in 1232, was still a viable and apparently unchanged unit of land in 1773 when it was listed both as a named half-dabhach and as one half of the dabhach of Avielochan.<sup>11</sup> This gives the half-dabhach of Kinchurdy a lifespan of at least 541 years as a viable unit of land. By implication, the dabhach of Avielochan, of which Kinchurdy was part, must be at least as old. Much the same can be said about the place-name Kinveachy: first mentioned by name between 1178 and 1185, it was clearly still a very important unit of land in 1773, giving it a viable

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<sup>6</sup> *ER*, vi, 212-13.

<sup>7</sup> *NAS*, GD248/26/2/14.

<sup>8</sup> For example, *NAS*, RS29 (Elgin), vi, 524r; *NAS*, GD248/214/5.

<sup>9</sup> *NAS*, GD248/26/2/14.

<sup>10</sup> The medieval parish of Duthil was much smaller than its modern equivalent.

lifespan of approximately 595 years. These instances are indicative of an extraordinary geographic conservatism within the lordship of Glencarnie and the parish of Duthil between c.1178 and 1773. If these three examples are representative of the lordship and parish as a whole, then the pre-1456 lordship of Glencarnie probably also comprised fourteen dabhaichean.

If the resurrection of the geography of the high-medieval lordship of Glencarnie is fraught with difficulty, any attempt to precisely date the establishment of the lordship is an equally troublesome exercise. In recent historiography it has frequently been argued that the lordship of Glencarnie was a product of crown policy during the reign of King William I. This theory is based on two key pieces of evidence. First, during the 50 years between 1180 and 1230, northern Scotland was invaded by members of the Mac William kindred on at least four separate occasions. The Mac Williams constituted the senior royal kindred of Scotia, descended from King Máel Coluim III and his first wife Ingibjorg of Orkney, and clearly felt that they had a right to be considered for inauguration as members of the royal *derbfine* ('true kin' — descendants on the male line of the same great-grandfather).<sup>12</sup>

Second, during this same period at least eight lordships appear for the first time in the documentary record, all of them located north of the Mounth.<sup>13</sup> Accordingly, it has been argued that William I created a series of militarised lordships, under the control of families loyal to the crown, in the northern part of his realm to act as bulwarks against further invasion by the Mac Williams.<sup>14</sup> At face value, this explanation for the appearance of these eight lordships would seem to be perfectly acceptable.

It also may be wrong. At least one of these lordships, Strathbogie, was clearly a very much older unit of lordship that came under the control of the Fife kindred through marriage in the early thirteenth century.<sup>15</sup> There is now also some doubt whether Glencarnie was a new creation. As we have seen, the first surviving document dealing with lands in the lordship was a crown grant of Kinveachy to Earl Gilbert of Strathearn dateable to 1178x1185. This was probably a grant of only one dabhach of land. It was not until at least twenty years later that the place-name Glencarnie was first recorded when Earl Gilbert granted Kinveachy and Glencarnie to his youngest son sometime between 1205 and 1207. If the 1178x85 charter of Kinveachy represented the earliest royal grant of lands in Strathspey to the earls of Strathearn, it means that there must have been a second, now lost, crown grant to Earl Gilbert, dateable to between 1178x85 and 1205, of the lands of Glencarnie. This theory is perhaps strengthened by reference to the terms under which Kinveachy was originally granted between 1178 and 1185: it was to be held heritably and as freely as Earl Gilbert held the earldom of Strathearn, possibly in regality.<sup>16</sup> If Earl Gilbert already held other lands in Glencarnie at this stage, it might appear that they,

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<sup>11</sup> NAS, GD248/26/2/14.

<sup>12</sup> Fergus Kelly, *A Guide to Early Irish Law*, (Dublin, 1988), 312.

<sup>13</sup> These are: the Garioch, Strathbogie, Abernethy, Stratha'an, Glencarnie, Badenoch, Lochaber and the Aird.

<sup>14</sup> Richard Oram, *The Lordship of Galloway*, (Edinburgh, 2000), 130-31.

<sup>15</sup> W. Cramond, 'Records of the Monastery of Kinloss', in *Northern Notes and Queries*, iv, no.xvi, Edinburgh, 1890, 145-47.

<sup>16</sup> RRS, ii, no.206. For a recent short discussion of the terms under which the earls held Strathearn [cf:

rather than Strathearn, would have been specified in this charter. More importantly perhaps, if the Kinveachy charter was indeed the first grant to Earl Gilbert in Strathspey it seems unlikely that the isolated gift of a single dabhach could have been intended as part of a regional defence against any potential Mac William invasion.

There is also a second option that could account for the ownership of Glencarnie by the Strathearn kindred. It is entirely possible that Earl Gilbert of Strathearn already had possession of Glencarnie before he was granted the lands of Kinveachy between 1178 and 1185. For example, the backgrounds of the wives of the first two earls of Strathearn, Malise and Ferteth, are unknown.<sup>17</sup> Either of these women could, in theory, have brought the lands of Glencarnie to an earl of Strathearn as part of a marriage contract long before 1178. If this second scenario is correct, it would mean that the lordship of Glencarnie was not created in response to invasion and that the timing of the grant of Kinveachy to Earl Gilbert between 1179 and 1185 in relation to the first Mac William invasion of Ross in 1179 was purely coincidental. This suggestion has a further advantage in that it might also explain why Kinveachy was granted under the same terms as the earl held Strathearn: namely, the rest of the lands of Glencarnie had originally belonged to another kindred before they became part of the Strathearn patrimony and were therefore held of the crown under different terms. Such a scenario might also account for the reason why the lands of Kinveachy and Glencarnie were still mentioned separately in the charter of 1205x1207, rather than being described together as the lands (or lordship) of Glencarnie.<sup>18</sup>

Although either of the two options outlined above could be correct, neither can be conclusively proven. All that can be stated with any confidence is that the lands of Kinveachy were under crown control before 1178x1185 and that they were in some way separate from the rest of Glencarnie. Unfortunately, there is no way to tell from the high-medieval sources why this might have been the case. However, a late-seventeenth century sasine may provide an answer. This document states that the croft attached to seven of the 'aughten' (eighth) parts of the dabhach of *Kinveachiecaple* was called *Croft Muluack*.<sup>19</sup> While this may seem like a lot of land to be attached to a single croft, there was an entire dabhach dedicated to the same saint in Strathpeffer: *Dochmaluag (Dabhach Mo-Luáig)*.<sup>20</sup>

Even though the seventeenth-century sasine is very far removed in time from the medieval lordship of Glencarnie, it is entirely possible that this document preserves a record of a much older, and obviously very important, cult site dedicated to Mo-Luóg (St Lugaig of Lismore).<sup>21</sup> This suggestion is perhaps supported by the name of one of the half-dabhaichean of Kinveachy, *Kynbacheglis*, in the 1456

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Neville, 'A Celtic Enclave in Norman Scotland: Earl Gilbert and the Earldom of Strathearn, 1171-1223', in Terry Brotherstone and David Ditchburn (editors), *Freedom and Authority*, (East Linton, 2000), 75-92 at 77].

<sup>17</sup> Neville, Thesis, i, 46-48 and at 54

<sup>18</sup> This separation of Kinveachy and Glencarnie in charters continues in use until at least 1226, [cf: Fraser, *Grant*, iii, no.3].

<sup>19</sup> NAS, RS29(Elgin), iii, 354 verso.

<sup>20</sup> Watson, *CPNS*, 293.

inventory, where the suffix clearly preserves the term *-eglis*, 'church'. Although there is no indication who this church was dedicated to, the fact that seven eighths of the same dabhach were attached to Croft Mo-Luóg would suggest that the church was dedicated to the same saint. A Kinveachy dedication to Mo-Luóg would certainly fit the general pattern of Mo-Luóg dedications in Strathspey and Badenoch,<sup>22</sup> and might easily pre-date the Duthil parochial dedication to St Peter. Therefore, the reason why Kinveachy was originally under crown control, and why it was granted out separately from the lands of Glencarnie, could be that it was an important medieval cult site.

It is clear that the appearance of a Scottish Gaelic kindred from south of the Mounth in Moray, whenever it may have happened, was not unique. In fact, of the seven Moravian lordships that appear in the charter record for the first time in the late eleventh and early twelfth centuries, only one (the Aird) belonged to a family that could possibly be described as 'non-native' (the Bissets), and even that description is doubtful. The lordships of Strathbogie and Stratha'an belonged to the Earl Duncan of Fife or his family, Abernethy to a member of the Mar kindred, Glencarnie to the earl of Strathearn, and Badenoch and Lochaber to Walter Comyn, earl of Menteith. Four of these lordships, Badenoch, Glencarnie, Abernethy and Stratha'an lay in Strathspey. In addition to these lordships, Rothiemurchus and part of Inverallan parish belonged to the crown before 1236,<sup>23</sup> Kincardine belonged to the earl of Menteith in 1234,<sup>24</sup> Advie was rented from the bishop of Moray by the earl of Fife,<sup>25</sup> and the thanage of Cromdale belonged to the earl of Fife.<sup>26</sup>

If the three thanages of Rathenach, Molen and Fochabers near the mouth of the Spey are then added to this list,<sup>27</sup> it is obvious that over three-quarters of the Spey valley basin was held by an interlocking pattern of royal, episcopal and native secular interests in the late eleventh and early twelfth centuries. Since there is no record of any member of the Mac William kindred, or even any of their supporters, ever holding lands in Strathspey, Badenoch or Lochaber, it is highly unlikely that any of these lands were ever confiscated and re-granted by the crown as a result of any of the Mac William invasions of Scotia between c.1170 and 1230. Instead, the apparently sudden appearance in the Moray Registrum of documents concerning these lordships, dated to the first few decades of the thirteenth century, may have more to do with an outcome of the fourth Lateran Council in 1214, which demanded more efficient episcopal record-keeping,<sup>28</sup> than with the sudden creation of a group of militarised lordships.

The pattern of interlocking royal, episcopal and secular lands in Strathspey thus seems to pre-date the various Mac William invasions of Ross by a considerable margin. If the tenorial settlement has to be

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<sup>21</sup> *ibid.*, 292-93.

<sup>22</sup> Barrow, 'Badenoch and Strathspey: 1', 6.

<sup>23</sup> *NLS*, Adv.MS.34.4.10, f.14 verso. and at f.16 recto.

<sup>24</sup> *ibid.*, f.20 recto.

<sup>25</sup> *ibid.*, f.36 verso.

<sup>26</sup> *ibid.*, f.29 recto.

<sup>27</sup> A. Grant, 'Thanes and Thanages, from the Eleventh to the Fourteenth Centuries', in A. Grant and K. J. Stringer (editors), *Medieval Scotland: Crown, Lordship and Community*, (Edinburgh, 1988), 39-81, at 73.

<sup>28</sup> C.R. Cheney, *English Bishop's Chanceries, 1100-1250*, (Manchester, 1950), 107 and at 132.

associated with a particular episode of political upheaval then it is tempting to link it with the period after 1130 when Oengus of Moray was killed in battle at Stracathro.<sup>29</sup> An attempt at that point by the crown to control the extremely valuable economic resources of the Spey valley basin by granting large blocks of land to both the church and to the senior pro-Canmore Gaelic kindreds of Scotia might seem likely, although the suggestion remains highly speculative.

In any event it is clear from the surviving thirteenth-century evidence that, having gained control of lands in Strathspey, the lords of Glencarnie extended their influence beyond their core lordship into other parts of Scotland — namely Mar, Strathnairn, Abernethy and Menteith — as well as acquiring lands in the lordship of Rothes further down the Spey valley.<sup>30</sup> Some of these lands, like the *dabhach* of *Daltely* (Daltulach) in Strathnairn, were undoubtedly acquired through marriage.<sup>31</sup> In the case of others, like the grant from Alan Durward of half of the lands of *Tulachfyny* in Mar to Gilbert de Glencarnie c.1256, the award of lands may have been a direct result of political expediency.<sup>32</sup>

Before 1256, Alan Durward was actively seeking political support from King Henry III of England to remove Walter Comyn, earl of Menteith, from his guardianship of Scotland and of the young King Alexander III. It is also known that in 1256 Earl Malise II of Strathearn suddenly became a political ally of Alan Durward, shortly after Durward had performed military service in Gascony for King Henry III of England on behalf of Earl Malise II. In short, by 1256 the earl of Strathearn had become a strong political ally of the Durward faction at the Scottish court. Walter Comyn was duly ousted from power and Earl Malise II was one of the three earls appointed by King Henry to rule Scotland until Alexander III reached his majority.<sup>33</sup> Accordingly, since Alan Durward granted some lands in Mar in 1256 to the Glencarnie segment of the Strathearn kindred, it is reasonable to assume that this was part of a reward for the recent political flexibility displayed by Earl Malise II.<sup>34</sup> If this suggestion is correct, it also demonstrates that the lords of Glencarnie still had very close political and personal links to the senior branch of their kindred in Strathearn.

This latter perception is strengthened by a document issued by Earl Malise III of Strathearn shortly after 26 June 1306. In this declaration, Lord Gilbert III de Glencarnie (senior) was thanked for rendering service and adhering to Earl Malise III during the Scottish war, even though these actions were contrary to the terms under which Gilbert held his lordship from the earl.<sup>35</sup> It is difficult to ascertain exactly what this document refers to, mainly because Earl Malise III changed allegiance on a number of occasions during 1306. Between June 1305 and November 1306 the earl had officially acted as lieutenant to the English king's warden north of the Forth. Shortly after March 1306, however, and

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<sup>29</sup> *Ann.Ulster*, 1130.4.

<sup>30</sup> Fraser, *Grant*, iii, nos.6, 8, 9, 10 and 11.

<sup>31</sup> *ibid.*, no.8.

<sup>32</sup> *ibid.*, no.6.

<sup>33</sup> Neville, Thesis, i, 102.

<sup>34</sup> See the chapter by Matthew Hammond in this volume.

<sup>35</sup> Fraser, *Grant*, iii, no.12. This document might also strengthen the suggestion that the lords of Glencarnie held part of their lordship in regality and that no military service was due to the earls of

after the inauguration of King Robert I, Earl Malise III had also been forced to perform homage to the new King of Scots under pain of death.

Thereafter, any attempt by the earl to balance his English duties against his new allegiance to the King of Scots was always going to be difficult. In fact, when Earl Malise III was requested to provide soldiers for King Robert I in June 1306, to help that king fight against the English forces in Perth under Aymer de Valence, the earl refused and was again attacked by King Robert I. He may have refused to help him because he had previously promised to send his soldiers to Perth to fight for the English against Bruce. However, Earl Malise III reneged on this agreement too. Eventually, Earl Malise III did join up with the English army, but only after King Robert I had been defeated at Methven. Since he had not actually fought for either side, either the Scots or the English could not technically accuse Earl Malise III of treason.<sup>36</sup>

It seems likely that Lord Gilbert of Glencarnie must have been present in Strathearn during this period, supporting the leader of the Strathearn kindred and, since this document was actually issued in Perth at the end of June, it follows that it must have been given to Lord Gilbert after Earl Malise III had joined up again with the English forces. If Earl Malise had hoped to escape retribution from either side, his plan did not work. In November 1306 he was arrested by the English and King Edward I ordered that the earl was to be detained in Rochester castle.<sup>37</sup>

Lord Gilbert III de Glencarnie remained in Scotland, and remained opposed to King Robert I. In a letter dated 15 May 1307 he was named, along with Reginald Cheyne and Duncan of Fendraught, who was also Lord Gilbert III's son-in-law, as a keeper of the peace on both sides of the Mounth for the English.<sup>38</sup> All three of these men must have been shocked by Bruce's murder of their neighbour, John Comyn of Badenoch in 1306, and this appointment indicates that Lord Gilbert was a capable and trusted man who could be expected to command loyalty in Scotland. Shortly afterwards, on 14 December 1307, both Gilberts of Glencarnie (senior and junior) were named in a letter sent by King Edward II to the Scottish nobles, commanding them to keep the peace.<sup>39</sup> The last occasion when both Gilberts were named together was in a letter written in April 1308 by Duncan of Fendraught to King Edward II.<sup>40</sup> Although this document is in very poor condition, it seems to state that sometime between 25 November 1307 and April 1308 Lord Gilbert de Glencarnie (senior) had surrendered Inverness castle to King Robert I and that the king had then proceeded to besiege Lord Gilbert de Glencarnie (junior) in Elgin castle. Robert I was unable to take Elgin castle on this occasion and made a truce with Gilbert junior. No mention was made concerning the fate of Gilbert senior, and he never appears again

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<sup>36</sup> Neville, Thesis, i, 124-30.

<sup>37</sup> *ibid.*, 124.

<sup>38</sup> G. W. S. Barrow, *Robert Bruce and the Community of the Realm of Scotland*, (3<sup>rd</sup> edition Edinburgh, 1988), 172-73, [hereafter: Barrow, *Bruce*].

<sup>39</sup> *CDS*, iii, no.29.

<sup>40</sup> Patricia M. Barnes and G. W. S. Barrow, 'The Movements of Robert Bruce between September 1307 and May 1308', in *SHR*, 49, 46-59.

in the documentary record. Accordingly, it might be suggested that Lord Gilbert III died very shortly after he surrendered Inverness to Robert I and was succeeded in the lordship of Glencarnie by his son, Lord Gilbert IV, explaining why both men were styled Lord of Glencarnie in the letter.<sup>41</sup>

There is no record in any official governmental source, Scottish or English, about Lord Gilbert IV de Glencarnie between the end of 1307 and 28 November 1318, although his uncle by marriage, Duncan de Fendraught, was in command of Elgin castle on 1 May 1308. Nor does Gilbert appear in the surviving charter record. This is particularly unfortunate since these years comprised one of the most crucial periods in the first phase of the wars of independence. It is known, however, that Gilbert's close kinsman, Earl Malise III of Strathearn was released from English custody c.1310 and was in command of Perth on behalf of the English when it fell to King Robert I in early January 1313. It is also known that Archibald de Glencarnie, probably a brother of Lord Gilbert IV, was present during the siege of Perth and fought at the side of Earl Malise III.<sup>42</sup> Therefore, as one member of the Glencarnie family was fighting with the leader of the senior branch of the Strathearn kindred at Perth in 1313, it might be suggested that Lord Gilbert IV was also present. If he was, it was the last occasion on which he fought alongside an earl of Strathearn during the first phase of the wars of independence. Shortly after the death of Earl Malise III in 1313, the mutual ties of friendship and support between the senior Strathearn line and the Glencarnie kindred seem to have been completely broken.

This probably happened because Earl Malise IV of Strathearn was a loyal adherent of King Robert I. In complete contrast, Lord Gilbert IV de Glencarnie obviously never liked Bruce, nor could condone his seizure of the kingdom of Scotland. On 28 November 1318, for example, Lord Gilbert received an annuity of 50 marks from King Edward II for his good service. This reward may have come in partial recompense to Lord Gilbert because Bruce had disinherited him of his lands in Scotland. While there is no official record of this happening, on 18 February 1318 King Robert I granted Gilbert de Wyseman £40 of land in the vicinity of Rothes, to be held in barony.<sup>43</sup> Included among the lands given to Wyseman was *Gerbothy* (Garbity), which had been held by Lord Gilbert III de Glencarnie in 1280.<sup>44</sup> Further confirmation of Lord Gilbert IV's disinheritance is found in a charter issued sometime between 1312 and 1320 by Thomas Randolph, earl of Moray, in which Gilbert was forfeited of the dabhach of Daltulach in Strathnairn, a property that his family had held since 1267.<sup>45</sup> Also, on a number of occasions Lord Gilbert IV's wife mentioned the lands that she and her husband had lost in Scotland in

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<sup>41</sup> There are still a number of stories in Strathspey concerning this family. One tells of the last lord of Glencarnie, called Gilbert or Gibbon mór, converting his soldiers into Cummings by plunging their heads into a hens trough. Thereafter they were called Cuiminich clach na'n cearc [cf: J. Longmuir, *Speyside. Its picturesque scenery and antiquities: with occasional notices of its Geology and Botany*, (Aberdeen, 1860), 127]. It may be that stories like these preserve a distant folk-memory of the anti-Bruce activities of the Lords of Glencarnie during the first phase of the wars of independence.

<sup>42</sup> *CDS*, iii, 426.

<sup>43</sup> *RRS*, v, no.133.

<sup>44</sup> Fraser, *Grant*, iii, no.10.

<sup>45</sup> *NLS*, Adv.MS.35.2.4.(i), 249. It is difficult to decide exactly what happened to the lordship of Glencarnie during the reign of King Robert I. It had been included in the grant of the earldom and regality of Moray to Thomas Randolph in 1312 [cf: *RRS*, v, no.389]. Since there is no record of it ever being granted to another person Randolph may have kept it in his own possession.



letters to the English crown. All of this suggests that Lord Gilbert was disinherited at the Cambuskenneth parliament of 6 November 1314.<sup>46</sup>

While he was in exile in England, Lord Gilbert IV may have joined the political pressure group known as 'the disinherited'. Essentially, they were composed of a group of families, not all of whom were Scots, who had some sort of claim to property in Scotland. These families had either refused to accept King Robert I's seizure of the Scottish throne or had actively opposed him on the field of battle.<sup>47</sup> As a consequence, King Robert I had probably disinherited many of them at the Cambuskenneth parliament. Rather than just relying on the application of political pressure at the English court in an attempt to regain his patrimony in Scotland, however, Lord Gilbert IV may have resorted to more direct means. English governmental records note that on 30 April 1320 King Edward II sent 200 merks to Gilbert de Glencarnie, who was a prisoner in Scotland, in aid of his ransom.<sup>48</sup> Evidently Gilbert had been captured by the Scots sometime between 18 February 1318, when he received his last annuity from King Edward II, and 30 April 1320.

In any event, Lord Gilbert did not stay in Scottish custody for long and must have collected his ransom money quite quickly. By 13 April 1322 he had clearly been back in England for some time and was in possession of a royal commission to pursue and capture English rebels, their lands and chattels. This document must refer to the aftermath of the Lancastrian rebellion in England, which had ended at the battle of Boroughbridge on 16 March 1322. Like other members of the disinherited, most notably David de Strathbogie, claimant of the earldom of Atholl, Lord Gilbert was rewarded for his support of King Edward II. In an order dated 10 July 1322 he and Master John Walewayn were commanded to deliver the Welsh castles of Usk, Tregruk and Caerleon to John Inge.<sup>49</sup> Whatever Lord Gilbert was doing for King Edward II in Wales, he must have been both an effective and trusted servant. On 21 October 1326, Lord Gilbert, together with Robert Fleming and Burgesius de Tyle, was granted the keeping of the castle of Bristol.<sup>50</sup>

But like his fellow Scottish disinherited lords, Lord Gilbert was also a political pragmatist. In England, King Edward II was becoming increasingly unpopular and this culminated in his deposition on 20 January 1327. A petition made by Meilloure, the wife of Lord Gilbert, on 6 April 1328, is very revealing. It shows that during the overthrow of Edward II Lord Gilbert changed sides and surrendered Bristol castle, and two of Edward II's daughters, to forces fighting in the name of the future Edward III. Gilbert was handsomely rewarded for abandoning the king who had maintained him throughout his years of exile in England: on 4 February 1327 Lord Gilbert was granted the manor of Milham in Norfolk for life, for the service that he had done King Edward III and his mother, Queen Isabella.<sup>51</sup>

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<sup>46</sup> *RRS*, v, no.41.

<sup>47</sup> S. Cameron and A. Ross, 'The Treaty of Edinburgh and the Disinherited (1328-1332)', in *History*, 84, 1999, 237-56, [hereafter: Cameron and Ross, 'Disinherited'].

<sup>48</sup> *CDS*, iii, no. 697.

<sup>49</sup> *CFR*, iii (1319-27), 142.

<sup>50</sup> *ibid.*, 421.

<sup>51</sup> *CFR*, iv (1327-37), 3.

Lord Gilbert did not enjoy the fruits of his political defection for very long. He was dead before 5 August 1327.<sup>52</sup> His widow, Meilloure, re-married and received a regular pension from the English crown. The last record of this payment was on 22 April 1341.<sup>53</sup> Presumably, Meilloure died shortly after this date, although it is also possible that she could have abandoned her life of exile and returned to Scotland.

The latter might seem unlikely given Lord Gilbert IV's prolonged anti-Bruce stance between 1306 and 1327. Yet, sometime between 1337 and 1338 the Glencarnie kindred seems to have re-established itself in Scotland. The first evidence of the family's comeback appeared on 22 November 1338, by which time Earl William of Ross had already granted Maelmoran de Glencarnie the two dabhaichean of Dalnafert and Kinrara in the lordship of Badenoch.<sup>54</sup> A member of the Glencarnie kindred, probably a brother or cousin of Lord Gilbert IV, was both back in Strathspey and back in favour with the pro-Bruce Scots. He may not have been the only male member of his kindred who had returned to Scotland. There is a brief note concerning an undated charter of remission, recorded sometime during the reign of King David II, to Maelmoran, Adam and Robert de Lenchany. It has been suggested that the place-name *Lenchany*, which is otherwise unknown in Scotland, was actually meant to represent <G>lencha<r>ny.<sup>55</sup>

If these three men were members of the Glencarnie kindred, none of them were the heir of Lord Gilbert IV who had died in exile in England in 1327. It is clear that this position must have been held by Margaret de Glencarnie, who had probably still been in English custody as late as 6 April 1328,<sup>56</sup> and who first appears in the Scottish documentary record in a charter issued at Aberdeen on 3 August 1345.<sup>57</sup> By this date Margaret was already married to Sir Lawrence Gillebrand, a man described as 'my knight' by Earl Thomas of Mar when he granted the couple a portion of the lands of Echt.<sup>58</sup> This marriage would appear to be a restoration of the personal links between members of the Glencarnie and Mar kindreds that had been evident during the thirteenth century.

At least one member of the Glencarnie kindred also returned to Strathearn during the reign of David II. A document issued on St Andrew's Day 1365 refers back to a business agreement between Symon of Scone, abbot of Inchaffray, and Maelmoran de Glencarnie regarding lands in the shire of Madderty.<sup>59</sup>

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<sup>52</sup> *CDS*, iii, no.930.

<sup>53</sup> *CCR* (1341-43), 67.

<sup>54</sup> Munros, *Acts Lords Isles*, no.50. There is a second surviving charter that granted lands in Scotland, probably in Perthshire, to Maelmoran [cf: *NAS*, GD82/5].

<sup>55</sup> *RMS*, i, App.2, no.1095.

<sup>56</sup> *CDS*, iii, no.950.

<sup>57</sup> *NAS*, GD42/1.

<sup>58</sup> *ibid.*, GD42/3.

<sup>59</sup> *Inchaff. Chrs.*, no.135. It is difficult to date this reference. Perhaps the obvious time period for Simon de Scone to hold the abbacy of Inchaffray would have been between Abbots Cristin (1326) and John (1358x63) [cf: D. E. R. Watt and N. F. Shead (editors), *The Heads of Religious Houses in Scotland from Twelfth to Sixteenth Centuries*, (Edinburgh, 2001), 102]. However, if Simon de Scone was the same person as Simon abbot of Scone (1325x41, cf: *ibid.*, 199), then perhaps his abbacy of Inchaffray should be dated to the period 1341x58.

Since Maelmoran was already in Scotland before November 1338, this means that his acquisition of lands in Strathearn could have occurred before the last Earl Malise was forfeited in October 1343.<sup>60</sup> If so, it means that after their sojourn in England at least one member of the Glencarnie kindred was reconciled to the senior branch of their family in Strathearn. If, however, Maelmoran had returned to Strathearn after the forfeiture of Earl Malise, it would instead indicate that members of the Glencarnie kindred continued to hold an interest in the affairs of Inchaffray Abbey. This should not be surprising since Earl Gilbert, father of the first lord of Glencarnie, had founded this Augustinian House in 1200.<sup>61</sup>

Exactly when the Glencarnie kindred returned to Scotland is unknown although, between 1327 and 1338, two occasions appear the most plausible. The first of these was after the conclusion of the treaty of Edinburgh in March 1328. One of the provisions of this treaty was that some Scottish lords were to be reinstated in their lands in England, and some English lords were to be reinstated in their lands in Scotland. However, it is clear that having been forced to make this concession to the disinherited lords in England, the Scots did not envisage widespread re-inheritance. They were very selective about who received letters patent. The available evidence suggests that only two lords from Scotland and three from England were ever selected for reinheritance.<sup>62</sup> It is possible that Margaret de Glencarnie also could have been selected for reinheritance at this time, but if she was, all record of this has been lost.

The second most likely occasion for the Glencarnie kindred to return to Scotland between 1327 and 1338 would have been in 1332, shortly after the death of Thomas Randolph, during the invasion of Scotland by Edward Balliol and the disinherited lords. If the Glencarnie kindred did return at this time, they must have invaded Scotland with Balliol and then changed allegiance to the Bruce camp, perhaps after the surrender of David de Strathbogie to John Randolph, earl of Moray, in 1335. Although there is no evidence to support such speculation, if the pro-Bruce Scots managed to excuse David de Strathbogie, claimant of the earldom of Atholl, and return his lands and titles, there is no reason why they could not have extended the same forgiveness to the Glencarnie family in 1335.<sup>63</sup>

If it is impossible to pin down the date of the return of the Glencarnie kindred to Scotland, a couple of documents issued during the reign of King David II may provide a clue as to why the Scots both allowed them back into the country, and eventually allowed them to regain both their lordship and the other lands in Strathspey that the family had controlled during the thirteenth century. In the first of these documents Margaret Bruce, sister of King David II, referred to Margaret de Glencarnie as ‘my cousin’.<sup>64</sup> In the second document, King David II described Lord Gilbert V de Glencarnie in the same terms.<sup>65</sup> This form of address might imply a family relationship to the Bruces. How could this

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<sup>60</sup> *RRS*, vi, no.77.

<sup>61</sup> *Inchaff. Chrs.*, no.9.

<sup>62</sup> Cameron and Ross, ‘Disinherited’, 248-56.

<sup>63</sup> Alasdair Ross, ‘Men for all seasons? The Strathbogie Earls of Atholl and the Wars of Independence, c.1290-c.1335. Part 2: Earl David IV’, in *Northern Scotland*, 21, 2001, 1-15, [hereafter: Ross, ‘Earls of Atholl’].

<sup>64</sup> *NAS*, GD42/1.

<sup>65</sup> *RRS*, vi, no.370.

connection have arisen? The first two options are that a member of the Glencarnie kindred had married into either the Mar or the Randolph families, both of whom were closely connected to the Bruce dynasty. Thomas Randolph, earl of Moray was a nephew of King Robert I; Bruce's first wife, Isabel, was the daughter of Earl Donald of Mar; and one of Bruce's sisters was the wife of Earl Gartnait of Mar.<sup>66</sup> The third option would be that there was a direct marriage connection between the Glencarnie and Bruce families.

It is possible to further speculate in which generation this proposed Bruce/Glencarnie wedding took place. On 6 April 1328 the widow of Lord Gilbert IV de Glencarnie, Meilloure, petitioned King Edward III for the rights of marriage of one of her children, and for that of Margaret.<sup>67</sup> The wording of this document would imply that Margaret de Glencarnie was not a daughter of Meilloure but instead perhaps a product of a previous marriage made by Lord Gilbert IV. Additional tentative evidence for a Bruce/Glencarnie match can be found in the Christian names used in the Glencarnie family around the middle of the fourteenth century: Margaret, Christian, Adam and Robert.<sup>68</sup>

Back in Strathspey, the re-acquisition of the lands and lordship of Glencarnie by Margaret in the 1330s seems to have been accomplished with little fuss. It can only be presumed that some of the local ties and links established by the kindred in Moray during the thirteenth century had survived their temporary exile in England between c.1308 and the 1330s. If so, these ties and links may have helped to quickly re-establish the kindred in Strathspey during the reign of David II. By the 1360s, however, it is clear that a number of different events had conspired to draw the Glencarnie kindred into controversy once more.

A major part of the underlying problem in the 1360s was that the Glencarnie kindred had returned to a Moray where the political landscape had been radically altered during the course of the wars of independence. Many of the old ties of kinship and service would have been irrevocably broken during this period. In the absence of the Glencarnie kindred the earldom of Moray had been re-activated in 1312 and granted in regality to Thomas Randolph. The lordship of Glencarnie was specifically included in this grant.<sup>69</sup> This settlement only lasted for around twenty-three years and the break-up of the Randolph earldom of Moray probably commenced c.1335 when David de Strathbogie, claimant to the earldom of Atholl, deserted Edward Balliol and the English and joined forces with the pro-Bruce Scots.

Part of the price for his defection was that Strathbogie regained the earldom of Atholl, the lordship of Strathbogie and the two lordships of Badenoch and Lochaber (the latter two as senior heir to John Comyn of Badenoch). It appears that Badenoch and Lochaber were detached from the Randolph

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<sup>66</sup> *RRS*, v, 65.

<sup>67</sup> *CDS*, iii, no. 950.

<sup>68</sup> Adam of Kilconquhar was the first husband of Countess Marjory of Carrick and the grandfather of Thomas Randolph, earl of Moray.

<sup>69</sup> *RRS*, v, no.389.

earldom of Moray at this time and that neither the Randolph nor the later Dunbar earls of Moray ever regained control of these two key lordships after Strathbogie's death late in 1335.<sup>70</sup> On the assumption that the lordship of Glencarnie would also have been detached from the regality of Moray around the same time, this effectively meant that the earls of Moray were left with virtually no lands or influence in upland Moray south of Loch Ness. By the 1360s Badenoch had come under the control of Robert Stewart, nephew and erstwhile political opponent of King David II.

The first of the events to conspire against the Glencarnie kindred was an international crusade. After the conclusion of the Treaty of Brétigny in 1360 King Peter I of Cyprus travelled throughout Europe between 1362 and 1364 to drum up support for a crusade. In the autumn of 1365 Sir Lawrence Gillebrand, the husband of Margaret and father of Lord Gilbert V, received a safe-conduct to travel abroad and participate in this crusade.<sup>71</sup> It seems likely that part of the general preparations by Sir Lawrence for his departure from Scotland to fight the infidel would have been a settlement of his affairs and it is probably in this context that we should view the small cluster of Glencarnie documents that appear around this time. These papers include a royal re-grant of Glencarnie in tailzie to lord Gilbert V on 18 January 1363.<sup>72</sup>

One interpretation of this evidence might be that Sir Lawrence had transferred Glencarnie, which he would have held on behalf of his wife, to Gilbert V, who then surrendered the lands to the king. David II then immediately re-granted Glencarnie back to Gilbert V in tailzie. It may even have been to raise funds to finance his expedition abroad that Sir Lawrence had sold the marriage of his son and heir to the leader of Clann Donnchaidh in Atholl, Duncan Andrewson.<sup>73</sup> By themselves, though, these preparations should not have been extraordinary.

The second important event, this time actually in Moray, was the death of John Pilmore, bishop of Moray, on 28 September 1362.<sup>74</sup> Upon hearing of the death of his bishop, David II immediately travelled to Moray, where he stayed for at least three months and set about establishing his own authority in the province.<sup>75</sup> The third event of importance at this time was the short-lived rebellion against the king led by Robert Stewart in the spring of 1363, after which the Stewart was forced to make a humiliating submission to the king.<sup>76</sup>

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<sup>70</sup> Ross, 'Earls of Atholl', 1-15.

<sup>71</sup> Alan Macquarrie, *Scotland and the Crusades, 1095-1560*, (Edinburgh, 1985), 80-82. Margaret de Glencarnie was not left without support. It is clear that she retained control of the kindred lands near the mouth of the Spey until 18 January 1368. Lawrence Gillebrand had clearly died by this date [cf: *RRS*, vi, no.387].

<sup>72</sup> *RRS*, vi, nos.285 and 370; Fraser, *Grant*, iii, no.18.

<sup>73</sup> *RRS*, vi, no.370; Stephen Boardman, 'Lordship in the North-East: The Badenoch Stewarts I: Alexander Stewart, Earl of Buchan, Lord of Badenoch', in *Northern Scotland*, 16, 1996, 1-29, [hereafter: Boardman, 'Badenoch Stewarts'].

<sup>74</sup> *Chron. Bower* (Watt), vii, 323.

<sup>75</sup> R. Oram, 'Alexander Bur, Bishop of Moray, 1362-1397' in B. E. Crawford (editor), *Church, Chronicle and Learning in Medieval and Early Renaissance Scotland*, (Edinburgh, 1999), 195-213 at 199, hereafter: Oram, 'Bur'].

<sup>76</sup> Stephen Boardman, *The Early Stewart Kings: Robert II and Robert III 1371-1406*, (East Linton,

What draws all of these events together is that by the 1360s Robert Stewart had established a position of authority in the lordship of Badenoch and was closely allied to Clann Donnchaidh. It is possible that Robert Stewart regarded the king's re-grant of Glencarnie as interference in lands that bordered onto Badenoch and perceived this action as a threat to his position in Strathspey. Equally, both Robert Stewart and Clann Donnchaidh would have regarded the king's interference in their right to choose a wife for the new lord of Glencarnie as a personal attack on their influence in Moravian politics. If so, the raids on Glencarnie that were led by the leader of Clann Donnchaidh before 1367 could easily have been a direct result of the political manoeuvring in Strathspey as King David II and Robert Stewart fought each other for political primacy in the area.

This dispute over primacy in Moray rumbled on into the 1390s and eventually culminated in the infamous burning of Elgin cathedral by the son of Robert Stewart, Alexander Stewart lord of Badenoch. Although different people were involved in this dispute by the 1390s, many of their motivations were broadly similar. The earl of Moray and his allies, Bishop Bur and Earl Robert of Fife, needed to gain a foothold in upland Moray from where they could more effectively challenge the power-base of Alexander Stewart in Badenoch and Strathspey. In this context it can only be presumed that these men pressured Lord Gilbert V de Glencarnie into alienating his lordship in Strathspey in 1392.

If this suggestion is correct, the alienation of Glencarnie in 1392 should be seen as part of a wider political and military assault on Alexander Stewart, which included an attempt to wrest Urquhart from his control.<sup>77</sup> It is clear, though, that Lord Gilbert V did not alienate all of his Strathspey lands in 1392. In 1493 King James IV created the barony of Freuchie for John Grant of Freuchie, Lord Gilbert V's great-grandson and direct male heir. Almost all of the properties that were incorporated into this new barony had been in the possession of the lords of Glencarnie in the mid-thirteenth century. In 1499 the family connection to Glencarnie was renewed once again when John Grant received a further royal grant of those lands.<sup>78</sup> Accordingly, it appears likely that the Grant domination of Strathspey was built upon the foundations of a much older power base that had been first established by the lords of Glencarnie.

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1996), 16-19.

<sup>77</sup> Oram, 'Bur', 195-213.

<sup>78</sup> *RMS*, ii, no.2478.